

REMARKS

Claims 27–31 are pending, with claim 27 being the sole independent claim. This Amendment amends two aspects of the application—claim 27 to clarify the feature relating to the contaminant sensor and the specification to include the patent number of the issued parent application. No new matter has been added.

As a preliminary matter, Applicants gratefully acknowledge the indication that the Information Disclosure Statement filed March 31, 2004, has been considered. However, Applicants still have not received an indication that the Information Disclosure Statement filed September 30, 2003, has been considered. Accordingly, Applicants request the Examiner to consider the information cited in the latter Information Disclosure Statement and return an initialed copy of the form PTO-1449 along with the next Office Action.

Claims 27, 28 and 31 are rejected as being anticipated by U.S. Patent No. 4,221,206 (Haas). Claim 29 is rejected as being obvious over Haas in view of a U.S. patent to Baek, the number of which has not been provided to Applicants. (As will be indicated below, the identity of the Baek patent is not necessary to overcome the rejection.) Claim 30 is rejected as being obvious over Haas in view of U.S. Patent No. 6,081,761 (Harada et al.). The rejections respectfully are traversed.

Claim 27 is amended to recite that the contaminant sensor is adapted to sense a contaminant consisting of at least one of a solid and a liquid particle. Support for the amendment can be found at least in paragraphs [0010] through [0012] and in claim 27 as filed.

As noted by the Examiner, Haas discloses, at col. 6, lines 24–34 and 57–60 (concatenated):

When the electrical detector 1 and the mechanical detector 2 both send a signal to the control circuit 20 that the *pre-determined dangerous level of carbon monoxide is present*, control circuit 20 responds by closing a circuit between the vehicle battery 55 and solenoid 56 thus energizing the solenoid with the voltage of the battery, preferably 12 volts. The solenoid when energized opens a vacuum valve 57 which enables the vacuum manifold 58 of internal combustion engine 59 to supply a vacuum to the vacuum operated switch 60 through vacuum tube 61. ... Such vacuum causes ... opening [of] the ignition circuit of the internal combustion [sic] engine 59.

(Emphasis added.)

Haas does not disclose or suggest, among other things, an apparatus for protecting a vehicle operator within a cab of a mobile vehicle working in a polluted environment, the cab being sealed from the polluted environment, the apparatus comprising a contaminant sensor adapted to sense a contaminant consisting of at least one of a solid and a liquid particle, as recited in claim 27.

Harada et al. also does not disclose or suggest all of the features recited in claim 27. Indeed, Harada et al. is directed to automatic deceleration control for securing "grip performance, depending on the conditions of a road surface on which the vehicle runs turning" (see Harada et al. abstract).

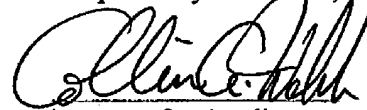
Applicants cannot comment in detail on Baek, since no patent having a Baek as an inventor was identified in the Office Action, other than to infer from the lack of an anticipation rejection in the Office Action that Baek does not disclose all of the features of claim 27.

In light of the foregoing, Applicants submit that independent claim 27, and dependent claims 28–31, are allowable over Haas, Harada et al. and Baek.

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Respectfully submitted,



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